

REMARKS/ARGUMENTS

In the specification, the paragraph beginning [0028] on page nine has been amended to correct for minor editorial problems and for clarity.

The Examiner has rejected claims 1-27 and 29-34 under 35 U.S.C. 102(e) as being anticipated by US Patent 6,421,779 entitled "Electronic Data Storage Apparatus, System and Method" by Kuroda et al. Applicants traverse the Examiner's reasons for rejection. In general, Kuroda et al discloses a method for storing data in a manner that protects the data from being amended or changed without authorization. Applicant's invention is a method for securely completing an online purchase or transaction without the need for new or specialized equipment. While both the present invention and the disclosure in Kuroda et al, use well know encryption and hashing techniques to accomplish their inventive purpose, they use them differently.

Specifically, in the reasons asserted by the Examiner for rejecting independent claims 1, 6, 11, 18, 23 and 27, the Examiner asserted that each of the elements in the independent claims are disclosed in the specification of Kuroda et al. Applicants addresses the Examiner's arguments related to each element of the independent claims below.

The Examiner asserts that Kuroda et al. discloses the step of "obtaining transaction information from a vendor" (see col. 15, lines 43-47 and col.17, lines 13-20) as recited as the first element in claim 1. While the referenced section from Kuroda et al. does use the term "vendor", it clearly has a different meaning in Kuroda et al. than it does in applicant's invention. In Kuroda et al., "vendor" is used to mean the provider or creator of the secure storage device used in the Kuroda et al. invention. Applicant's vendor is a party to a transaction over the Internet. Moreover, in the passages of Kuroda et al. cited by the Examiner, the information provided by the "vendor" is provided offline (see Col 15 line 52) and the information provided is related to an authorization function. In applicant's invention, an online vendor provides transaction information (i.e.

information related to the exchange between the user and the vendor). So the element in claim 1 that states that step of "obtaining transaction information from a vendor" has a completely different meaning than the description provided in the referenced passages. However, in order to more clearly highlight such differences, applicants have amended claims 1, 6, 11, 18, 23 and 27 to reflect that the vendor is an online vendor.

The second element recited in independent claim 1 is the step of "obtaining user information from, including a secret key from the user". The Examiner asserts that this element of applicant's invention is disclosed in Kuroda et al. at col.14 lines 43-52. However, the referenced passage does not teach or suggest the second element of applicant's claimed invention. Applicant recites the step of getting information from a user who is one party to a user/vendor two party transaction. What is disclosed in Kuroda et al. is a process where by "the user" gets authentication information from a storage device. The authentication information is information that authenticates the data stored in the device. In applicant's invention, a process gathers information from the user (i.e. a user is not getting information but providing information), and the information is related to verifying who the user is. This second element of the claimed invention is very different than the disclosure as referenced by the Examiner.

In the third step of applicant's claimed method, applicant recites the step of "electronically performing a message authentication code (MAC) function on at least some of the transaction information and some of the user information." The Examiner asserts that this step of applicant's invention is disclosed in Kuroda et al. at col.12, lines 56-67 and col. 13, lines 23-29. While applicants agree that both Kuroda et al. and applicant use MAC, they are each using the well-known MAC protocol in different ways with different inputs. Applicant uses as input to the MAC protocol some of the transaction information the process obtains from the vendor and some of the user information the process obtains from the user. In Kuroda et al., the inputs to the MAC protocol are the stored data (see col. 12 line 44) and an ID information based on the ID of the electronic storage apparatus to which the Kurado et al. invention is seeking to transfer stored data (see col. 12, line 50).

Just looking at the first three steps of applicant's claimed invention and the passages reference by the Examiner as his justification for rejecting the claims, applicant asserts that the differences cited above show that applicant's invention is not disclosed or suggested by the disclosure of Kuroda et al. The foregoing arguments, while specifically addressed the steps recited in Claim 1, are equally applicable to elements in each of the other independent claims 6, 11, 18, 23 and 27. Since the remaining claims are dependent on independent claims for which the applicant asserts are allowable, applicant respectfully requests that the current set of claims, as amended, are not disclosed in Kuroda et al. and are allowable subject matter. Applicant therefore respectfully requests allowance of all claims and passage of this application to issue.

Respectfully submitted,

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